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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,395	11/20/2003	Craig A. Bianchini	CIN-100US1	9752
23122	7590	07/13/2004	EXAMINER	
RATNERPRESTIA			ALVO, MARC S	
P O BOX 980			ART UNIT	
VALLEY FORGE, PA 19482-0980			PAPER NUMBER	

1731

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/718,395	BIANCHINI	
	Examiner	Art Unit	
	Steve Alvo	1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-23 is/are pending in the application.
- 4a) Of the above claim(s) 20 and 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 19, 22 and 23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11-03</u> . | 6) <input type="checkbox"/> Other: ____. |

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 18 and 21-23, drawn to a method of treating washing liquor to improve wood pulping, classified in class 162, subclass 60.
- II. Claims 19 and 20, drawn to a method of treating spent liquor in a spent liquor recovery system, classified in class 162, subclass 29.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions In the instant case the inventions have different modes of operation.

During a telephone conversation with Applicant's attorney on June 28, 2004 a provisional election was made with traverse to prosecute the invention of Group I, claim 18 and 21-23.

Affirmation of this election must be made by applicant in replying to this Office action. Claim 19 and 20 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over SAMUELSON (3,853,473).

SAMUELSON teaches improving wood pulping by treating a waste bleach liquor, which has been separated from said pulp, with a membrane and/or filter to remove the organic substances from the aqueous solution and using the filtered material to wash the cellulose subsequent to delignification with an oxygen containing gas, see column 13, lines 1-36. Obviously the aqueous solution has been removed from the pulp after bleaching as it is a solution and not a slurry.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over SAMUELSON as applied to claim 23 above, and further in view of THORSELL et al (4,670,098).

THORSELL teaches adding liquor from the screening section or bleaching section and passed through the separator (7) for cleaning and using the liquor and using the liquor as diluting liquor in the pulp washing stage (column 6, lines 40-45). It would have been obvious to the routineer that the spent bleach liquor of SAMUELSON et al could be added as dilution liquor as taught by THORSELL. Both SAMUELSON and THORSELL et al teach separating the organic material from the filtrate before using the liquor.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over SAMUELSON as applied to claim 23 above, and further in view of DAVIES et al (5,127,992).

DAVIES et al teaches adding liquor from the screening section or bleaching section multi-stage washers and passed through filtration unit (5) before recycling the unit to the washing stage (Brown stock washers (BSDW)). It would have been obvious to the routineer that the filtered spent bleach liquor of DAVIES et al could be used as the wash liquor of SAMUELSON as SAMUELSON teaches using spent bleach liquor which the organic material

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has been removed. The liquor of DAVIES is the same liquor used by SAMUELSON, e.g. spent bleach liquor which has been filtered to remove organic material.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over SAMUELSON in view of THORSELL et al as applied to claim 21 above, and further in view of ELTON(4,806,203).

It would have been obvious that the pulping process could use a displacement batch digester as such is taught by THORSELL et al, Figure 1. The use of an accumulator, e.g. collector, is well known in the art as evidenced by ELTON (8). Such accumulator are used to hold the liquor before it is added to the digester. It would have been obvious to use n accumulator rto hold the liquor of THORSELL et al before it is added to the digester as taught by ELTON.

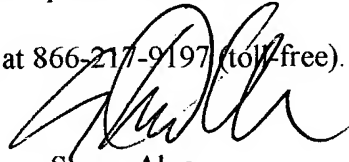
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Alvo whose telephone number is 571-272-1185. The examiner can normally be reached on 5:45 AM - 2:15 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steve Alvo
Primary Examiner
Art Unit 1731

msa